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CITY AND COUNTY OF SAN FRANCISCO, ET AL.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ELBERT HARRIS, III,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, DEPARTMENT OF
PUBLIC HEALTH; ROBERT THOMAS,
Director of Human Resources, Laguna
Honda Hospital and Rehabilitation Center;
and LARRY BEVAN, Licensed
Psychiatric Technician, Laguna Honda
Hospital and Rehabilitation Center, and
DOES 1 through 25,

Defendants.

USDC NO. CV 08 - 2353 PJH

E-FILING CASE

**STIPULATED REQUEST AND
~~PROPOSED~~ ORDER CHANGING
TIME FOR MOTIONS FOR
DISPOSITIVE MOTIONS TO BE
HEARD**

Date Action Filed: May 7, 2008
Trial Date: October 26, 2009

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Elbert Harris ("Plaintiff") and Defendants City and County of San Francisco, Robert Thomas, and Larry Bevan ("Defendants"), through and by their respective counsels of record, hereby jointly request that the Court issue an order changing the time for dispositive motions to be heard from June 24, 2009, as set forth in the Court's August 15, 2008 Case Management and Pretrial Order, to **July 29, 2009**. This request is based on the grounds that Plaintiff currently has a grievance arbitration as well as this litigation pending against the City. The parties desire to attempt to resolve these matters through mediation and avoid the additional expenses and costs associated with preparing and filing moving and opposing papers related to motions for summary judgment. The parties had participated in the Court-ordered mediation in October 2008. Now, the parties are in the process of scheduling another round of mediation in an effort to resolve these matters without further additional litigation expenses. The Parties have agreed that a 30-day extension of the time for the Court to hear dispositive motions, including the time to file dispositive motions, is warranted under these circumstances.

Dated: April 22, 2009

Respectfully submitted,

DENNIS J. HERRERA
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ADELMISE ROSEMÉ WARNER
Deputy City Attorney

By: _____/S/_____
ADELMISE ROSEMÉ WARNER

Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO, ET
AL.

Dated: April 22, 2009

LAW OFFICES OF CURTIS G. OLER

By: _____/S/_____
CURTIS G. OLER

Attorney for Plaintiff
ELBERT HARRIS, III

[~~PROPOSED~~] ORDER

PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, THE COURT
HEREBY ORDERS AS FOLLOWS:

1. The last day for dispositive motions to be heard is: July 29, 2009;
2. The deadline for filing dispositive motions shall be in accordance with this new July 29, 2009 deadline;
3. The August 15, 2008 Case Management and Pretrial Order is hereby modified accordingly.

IT IS SO ORDERED.

DATE: 4/24/09

